

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

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|----------------------------|---|--|
| CENTRIPETAL NETWORKS, LLC, | § |  |
|                            | § |  |
| Plaintiff,                 | § | Civil Action No. 2:21-CV-00137-EWH-LRL |
| v.                         | § |  |
| PALO ALTO NETWORKS, INC.,  | § |  |
| Defendant.                 | § |  |
|                            | § |  |

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**DEFENDANT PALO ALTO NETWORKS, INC.’S  
NOTICE OF UNRESOLVED ISSUE**

Pursuant to the Court’s directives during the continuation of the Final Pretrial Conference on January 16, 2024, Defendant Palo Alto Networks, Inc. (“Palo Alto”) advises the Court of the following unresolved issue regarding Plaintiff’s damages claim:

On January 13, 2024, this Court issued its summary judgment ruling on the ‘380 patent. Dkt. No. 742. That ruling removed a number of the accused products from this case and from the accused royalty base that is the subject of Centripetal’s damages model. The Court’s ruling results in a material reduction in Centripetal’s damages for the upcoming trial.

During the attorney conference on January 15, 2024, Centripetal’s counsel noted this issue and indicated Centripetal’s intent to provide Palo Alto with a revised lesser damages figure that it intends to proffer at trial, and the basis for it, through its damages expert, Mr. Malackowski. Indeed, on the evening of Wednesday, January 17, 2024, Centripetal’s counsel indicated its intent to provide this information today. Despite repeated requests, as of 3:00 p.m. today, Centripetal has failed to provide Palo Alto with this information.

Palo Alto is severely prejudiced by Centripetal’s failure to supplement its damages

calculation and the basis for it. That information is needed by Palo Alto's damages expert to evaluate and respond to the new calculations, as well as for opening statements. This issue should be a priority for Centripetal and Mr. Malackowski and it should not take him almost five (5) days to provide the revised amount and the basis therefore.

Accordingly, in light of Centripetal's failure to provide this required information, Palo Alto asks that the Court limit Centripetal's potential award of damages to the revised figure and that it be provided by no later than 5:30 p.m. today.

January 18, 2024

Respectfully submitted,

PALO ALTO NETWORKS, INC.  
By Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 18, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of electronic filing to all counsel of record.

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